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Message Text

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ACTION IO-10

INFO OCT-01 ISO-00 AF-06 ARA-06 EA-06 EUR-12 NEA-09 RSC-01

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C O N F I D E N T I A L USUN 0123

E.O. 11652: GDS
TAGS: UN PFOR
SUBJ: CHARTER REVIEW

1. COMPOSITION OF 42 MEMBER CHARTER REVIEW COMITE NOT YET ESTABLISHED. WEST WILL RECEIVE 10 SEATS AND IT PROBABLE US, UK AND FRANCE AND FRG, FINLAND, GREECE, ITALY, N.Z., SPAIN, TURKEY WILL BE WEO MEMBERS. AUSTRIA IS ALSO A CANDIDATE BUT THEY HAVE MADE IT CLEAR THEY WILL WITHDRAW CANDIDACY IF GIVEN WEO SEAT ON ASYLUM COMITE AND MAY WITH-DRAW IN ANY EVENT.

2. ALTHOUGH COMITE WILL NOT BE MEETING UNTIL MID-JULY AND ACTUAL LINE TAKEN WILL NEED BE IN SIGNIFICANT PART FUNCTION OF MOOD AND VIEWS OF OTHERS, WE SEE MERIT IN COMMENCING PRE-LIMINARY CONSIDERATION OF WHAT OPTIMUM U.S. POSTURE MIGHT BE.

3. POSSIBLE APPROACHES AS WE SEE THEM DIVIDE INTO 4 GENERAL CATEGORIES: COMPLETE PASSIVITY, STONEWALLING NEGATIVISM, SUGGESTIONS TO STRENGTHEN THE UN OTHER THAN THOSE INVOLVING CHARTER AMENDMENT, AND PROPOSALS TO AMEND THE CHARTER. WE BELIEVE FOLLOWING GENERAL CONSIDERATIONS ARE OF PARTICULAR RELEVANCE THOUGH NOT NECESSARILY IN THIS ORDER: (A) OP-PORTUNITY TO STRENGTHEN UN, (B) NEED TO BUILD ON EXISTING COOPERATION WITH THE UK, FRANCE AND THE USSR IN THIS AND OTHER AREAS, (C) NEED TO AVOID FUNDAMENTAL SPLIT IN UN
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MEMBERSHIP WHICH WOULD PIT PERMANENT MEMBERS AGAINST LARGE

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MAJORITY OF MEMBERSHIP IN HIGHLY CONFRONTATIONAL ATMOSPHERE
(D) NEED TO AVOID CREATING UNREALISTIC DOMESTIC (PUBLIC
AND CONGRESSIONAL) EXPECTATIONS WHICH CAN NOT BE SATISFIED.

4. COMPLETE PASSIVITY. THERE IS NO REALISTIC CHANCE OF
NEGOTIATING CHANGES WHICH WE WOULD REGARD AS USEFUL. SOVIETS
WILL OPPOSE ANY CHANGES WHICH WOULD WEAKEN THE VETO, CHANGE
BALANCE AMONG PRINCIPAL ORGANS TO DETRIMENT OF ROLE OF SC,
OR LEAD TO SUBSTANTIALLY INCREASED FINANCIAL OBLIGATIONS.
MOREOVER, THIS APPROACH WOULD ANNOY THE FEWEST STATES. MAIN
GOAL OF THIS APPROACH WOULD BE TO SIT BACK AND LET THE EX-
ERCISE COLLAPSE. CONVERSELY, WE MAY NOT BE REGARDED AS
SERIOUS IF WE TAKE THIS TACK, WE WOULD COME IN FOR A MEASURE
OF DOMESTIC CRITICISM FOR NOT SEEMING TO CARE, AND THERE MAY
BE UNHELPFUL PROPOSALS FOR CHANGE SUCH AS THOSE INVOLVING
CHAPTERS VIII, X, XI AND XII OF THE CHARTER WHICH SOVIETS
MAY NOT OPPOSE.

5. STONEWALLING NEGATIVISM. THIS IS JUST AN ENERGETIC FORM
OF COMPLETE PASSIVITY. IT WOULD AVOID DANGER OF SOVIETS NOT
FIGHTING HARD ENOUGH AGAINST A FEW POSSIBLE CHANGES TO
CHAPTERS VIII, X, XI AND XII. IT MIGHT DRIVE HOME POINT
THAT "POSITIVE" REVIEW SIMPLY NOT FEASIBLE AND SOONER
APOSTLES OF REVIEW FIGURE THIS OUT SOONER THEY CAN TURN
THEIR ENERGIES TO MORE PRODUCTIVE ENDEAVORS. CLOSER CO-
OPERATION WITH THE SOVIETS ON THIS ISSUE AND PERHAPS ON
OTHERS AS WELL COULD BE A BY-PRODUCT. HOWEVER THIS AP-
PROACH WOULD HAVE ALL THE DRAWBACKS OF COMPLETE PASSIVITY,
WOULD RISK MORE SERIOUS DOMESTIC REACTION AND BE OFFENSIVE
TO OTHER MEMBER STATES INCLUDING JAPAN AND MANY OTHER
FRIENDS SUCH AS COLOMBIA AND THE PHILIPPINES.

6. SUGGESTIONS SHORT OF CHARTER AMENDMENT. THE U.S. HAS
ACCUMULATED A FAIRLY LONG LIST OF POSSIBLE CHANGES OVER THE
YEARS SOME OF WHICH MIGHT BE USEFUL, EVEN IF ONLY MARGINALLY,
AND WHICH DO NOT INVOLVE CHARTER AMENDMENT. THIS APPROACH
COULD PROVIDE AN OPPORTUNITY TO MAKE SOME USEFUL SUGGESTIONS,
MIGHT TEND TO LEAD THE AD HOC COMITE AWAY FROM HARMFUL AND
DISRUPTIVE CONCENTRATION ON CHARTER AMENDMENT AND WOULD
INDICATE THAT THE U.S. CARES ENOUGH TO TRY. IF APPROACHED
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IN A LOW KEY AND AFTER CONSULTATION WITH UK, FRANCE AND
USSR, WE SEE NO DRAWBACKS TO THIS APPROACH OTHER THAN THE
INFUSION OF LIFE INTO AN OPERATION WHICH MIGHT OTHERWISE
LOSE ITS MOMENTUM.

7. PROPOSALS FOR CHARTER AMENDMENT. IF THE U.S. COULD RE-
WRITE CHARTER TODAY, THERE ARE VARIOUS CHANGES WE MIGHT WISH
TO MAKE. MOST IF NOT ALL OF THESE CHANGES WOULD BE UNABLE

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TO RECEIVE SUPPORT OF REQUISITE MAJORITIES.
PROPOSING ANY SUCH CHANGES WOULD ONLY STIMULATE MORE
CHANGES FROM OTHER QUARTERS AND CONTRIBUTE TO WEAKENING
OF UN BY WIDENING EXISTING CLEAVAGES AND ENHANCING DO-
MESTIC DISSATISFACTIONS. IF ON OTHER HAND USG WERE
WILLING TO REVIEW PROPOSALS SIGNIFICANTLY TO REDUCE SCOPE
OF VETO (E.G. LIMIT ITS APPLICATION TO CHAPTER VII AND
POSSIBLY ARTICLES 5, 6, AND 97) THERE MIGHT BE SOME POS-
SIBILITY OF ATTRACTING WIDESPREAD INTERNATIONAL SUPPORT
FOR CHANGES WE MIGHT DESIRE. SUCH A MOVE WOULD BE OP-
POSED BY THE SOVIETS AND REGARDED BY THEM AS A DECISION
ON OUR PART TO CUT BACK OUR COOPERATION WITH THEM ON FUNDA-
MENTAL ISSUES. THIS IS ONE OF NUMBER OF REASONS WHY THERE
SEEMS LITTLE PROFIT TO BE GAINED BY EXAMINING BASIC CHANGES
BY MAKING AFFIRMATIVE PROPOSALS FOR AMENDMENT.

8. ALTHOUGH WE INCLINE AWAY FROM THE AMENDMENT PROCESS
WE BELIEVE IT WILL BE NECESSARY FOR U.S. TO HAVE AT LEAST
AN INITIAL POSITION SO AS TO BE ABLE TO REACT EXPEDITIOUSLY
ON CHANGES OTHERS MAY PROPOSE. THESE PROPOSALS COULD INCLUDE
EXPANSION OF THE SC, DILUTION OF THE VETO, DILUTION OR
DELETION OF PARA 1 OF ARTICLE 12, DELETION OF ARTS 53
AND 107, MORE RESTRICTIVE WORDING OF ART 53 TO LESSEN
POSSIBILITY OF USE OF FORCE BY REGIONAL AGENCIES, ELIM-
INATION OF THE TC, REPLACEMENT OF CHAPTER XI BY LANGUAGE
ALONG THE LINES OF RES 1514, REVISION OF CHAPTER IX
TO SUPPORT OBLIGATION TO PROVIDE AND, LAY DOWN TERMS OF
TRADE WITH DEVELOPING COUNTRIES AND OTHERWISE INCORPORATE
LARGE PORTIONS OF THE "NEW ECONOMIC ORDER."

9. ON BALANCE, WE RECOMMEND A COMBINATION OF RELATIVE
PASSIVITY AND SUGGESTIONS FOR CHANGES SHORT OF AMENDMENT.
WE WOULD FORESEE MAKING LATTER SUGGESTIONS IN A LOW KEY
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AND RETAIN FLEXIBILITY TO BE MORE PASSIVE OR ACTIVE DE-
PENDING ON THE ATTITUDE OF OTHERS AND THE GENERAL MOOD
AS THE TIME FOR THE MEETING OF THE AD HOC COMITE APPROACHES.
IT WILL ALSO BE NECESSARY FOR US TO BEAR IN MIND THE
STRUCTURAL ISSUES WHICH ARE LIKELY TO ARISE AT THE SEVENTH
SPECIAL SESSION AND THE PREPARATORY MEETINGS FOR THAT SES-
SION AND THEIR RELATIONSHIP TO THE CHARTER.

10. WE BELIEVE MEETINGS WITH THE BRITISH IN THE EARLY
SPRING FOLLOWED BY MEETINGS WITH THE BRITISH, FRENCH AND
SOVIETS IN LATE SPRING WILL BE IMPORTANT PREPARATORY STEPS.
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